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Dear Trial Attorney Renata Hesse:

I am writing you today in response to the invitation of public comment on the proposed settlement of the Microsoft Anti-Trust case.

I am an amateur systems application developer and enthusiastic computer user, familiar with many aspects of programming and administering a computer system as well as following the development of the computer industry.

I have also been following the Microsoft Anti-Trust case and like to take the opportunity to comment on the case.

I cannot see that the proposed settlement is a remedial action for the illegal maintenance of a monopoly Microsoft has been found guilty of. I do not see any penalties in the proposed settlement for Microsoft, actually, even enhancing the current monopoly Microsoft has been found guilty of maintaining. Monopolies have never proved to benefit the public and national interest.


As a minimum of a remedial action, I would see four penalties:

1.

Full disclosure of all Windows Application Program Interfaces (API) and other specification documents for Microsoft products to the public using a license to enable everybody to write applications, system-drivers, and API and such, to enable third parties to develop any such program, driver, or API being compatible with Microsoft's current, former and future products. Such a license has to be free of royalties and discrimination of any kind. Microsoft must be prohibited to extend any such API or other specification without proper publication.

2.

Necessity to show the Microsoft operating system as an extra-cost option for buyers of a new computer. This would facilitate buyers of a new computer to choose an operating system themselves, or buy a computer without an operating system, using an existing license or another operating system. Furthermore, it would enable buyers of a new computer system to make an informed decision about which operating system to buy or use, using all information available in regard of stability, security and compatibility.

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3.

Networking protocols and protocols for new applications of Microsoft must be published to the public and approved by an independent protocol body. This would prevent Microsoft to extend its existing monopoly by seizing other areas and enable users of other operating systems to use such enhancements.

4.

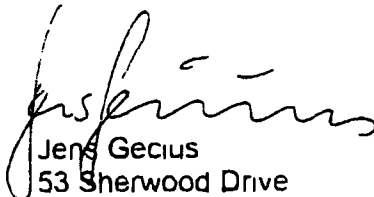
Forcing Microsoft to open all current and future patents involved in the operating system business to the public and to grant a public license free of royalties and discrimination on such patents. Nowadays in the computer business, patents are the perfect tools to monopolize any future developments in that industry, preventing enhancements by other developers. This would prevent Microsoft to extend its current monopoly into areas of future computer industry development, be it Hardware or Software.

Finally, I would like to point out that this Anti-Trust case is in the national interest, and that I believe that it is crucial that Microsoft's monopoly will not be extended. Even the highly respected Center for Strategic and International Studies recently pointed out that the use of Microsoft software actually poses a national security risk. The latest serious security flaw in Windows XP shows once again how ruthlessly Microsoft acts. It is outright declining to send a simple email reminder to its customers, hence putting at risk computers of their own customers as well as other computers world-wide due to "hijacked" computers running this again insecure version of Windows. Microsoft would be more diligent to get all affected computers fixed if it would not be a monopoly.

In conclusion, everybody agrees that the resolution of this case is of great importance, not only for now but also for many years to come. Therefor, I suggest a careful and deliberate decision is worth far more for the national interest than a hasty one.

Thank you for considering my comment.

Yours sincerely,



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